

## Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 ONY-00 NEAE-00 SS-15 /026 W  
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P 301245Z JUN 77  
FM AMEMBASSY ALGIERS  
TO SECSTATE WASHDC PRIORITY 6739

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E.O. 11652: GDS  
TAGS: SHUM, AG  
SUBJECT: HUMAN RIGHTS COUNTRY EVALUATION PLAN FOR ALGERIA:  
EMBASSY COMMENTS ON NEA/AFN DRAFT

REF: STATE 147622

1. WE AGREE WITH THRUST OF REFTEL, PARTICULARLY FINAL PARAGRAPH. DRAFT EVALUATION PLAN, IN OUR VIEW, CORRECTLY PORTRAYS ALGERIA AS COUNTRY WHOSE OVERALL HUMAN RIGHTS RECORD IS REASONABLY GOOD, AND WE BELIEVE IT MIGHT BE WELL, IF APPROPRIATE, TO STATE THIS AT OUTSET OF PAPER ALONG LINES OF FOLLOWING PARAGRAPH.

2. ALTHOUGH ACCESS TO INFORMATION ON THE SUBJECT IS NOT EASY, HUMAN RIGHTS CONDITIONS IN ALGERIA APPEAR TO BE REASONABLY GOOD. AS THE FOLLOWING REPORT NOTES, BASIC HUMAN RIGHTS ARE VIOLATED IN ALGERIA FROM TIME TO TIME, AND DESPITE THE PROFESSIONS OF THE ALGERIAN CONSTITUTION, POLITICAL LIBERTIES, AS KNOWN IN A MINORITY OF OTHER COUNTRIES OF THE WORLD, ARE RESTRICTED HERE. NEVERTHELESS, LARGE SCALE VIOLATIONS OF HUMAN RIGHTS HAVE A WAY OF FINDING THEIR WAY INTO THE PUBLIC RECORD EVEN WHEN EFFORTS AT CONCEALMENT ARE EXTENSIVE. THERE IS NO SUCH RECORD OF VIOLATIONS IN ALGERIA.

3. WE ALSO BELIEVE SOME MODIFICATIONS IN TEXT OF  
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DRAFT PLAN IN ORDER AND SUBMIT FOLLOWING REWRITES OF SEVERAL PARAGRAPHS:

4. (REWRITE OF 1.A. IN REFTEL) A. THERE ARE FEW KNOWN CASES OF TORTURE IN ALGERIA SINCE INDEPENDENCE. DURING THE WAR FOR INDEPENDENCE AGAINST FRANCE, TORTURE AND OTHER INHUMANE MEASURES WERE USED EXTENSIVELY BY THE FRENCH,

AND ALSO BY THE ALGERIAN NATIONALISTS, LEAVING A STRONG AVERSIÓN FOR SUCH PRACTICES AMONG THE ALGERIAN LEADERSHIP AND POPULATION. NEVERTHELESS, THERE IS EVIDENCE THAT, FROM TIME TO TIME, THE POLICE RESORT TO ROUGH INTERROGATION METHODS IN PREPARING CASES FOR TRIAL. THUS, SEVERAL NON-ALGERIAN BUSINESSMEN TRIED FOR ECONOMIC ESPIONAGE IN 1976 TESTIFIED IN COURT THAT THEIR CONFESSIONS HAD BEEN EXTRACTED FROM THEM BY FORCE. THERE IS NO EVIDENCE THAT SUCH METHODS ARE IN GENERAL USE.

5. (REWRITE OF 1.B.) B. PRISON CONDITIONS IN ALGERIA ARE SOMBER, AND THERE ARE INSTANCES IN WHICH PRISON DISCIPLINE IS HARSH. THUS, TWO NON-ALGERIAN PRISONERS WHO ATTEMPTED A JAIL BREAK IN APRIL 1977 WERE CONFINED TO "TIGER CAGES" FOR AN UNDETERMINED PERIOD FOLLOWING THEIR RECAPTURE. ALSO, ON ONE OR TWO OCCASIONS DURING THEIR THREE-YEAR SOJOURN IN AN ALGERIAN JAIL, SEVERAL AMERICAN DRUG OFFENDERS WERE BEATEN BY PRISON GUARDS FOR MINOR INFRACTIONS OF THE RULES. IN GENERAL, HOWEVER, PRISON AUTHORITIES SEEM TO MAINTAIN AN MINIMUM STANDARD OF DECORUM.

6. (ADDITION AT END OF 1.C.) ALSO, ONE YOUNG AMERICAN WOMAN REPORTED BEING PICKED UP BY THE POLICE, QUESTIONED OVER A PERIOD OF 40 HOURS

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AND RELEASED WITH NO CHARGES PROFERRED.

7. (ADDITION AT END OF 1.D) ALSO, FORMER PRESIDENT AHMED BEN BELLA HAS BEEN HELD IN CLOSE HOUSE ARREST SINCE HIS OUSTER FROM POWER IN JUNE 1965.

8. (REWRITE OF 1.E) E. THE 1976 CONSTITUTION GUARANTEES THE INVOLABILITY OF THE CITIZEN'S HOME. APART FROM THE ARREST AT HOME OF THE FOUR PROMINENT PERSONS MENTIONED IN 1.C ABOVE, THERE IS NO KNOWN EXAMPLE OF FAILURE TO RESPECT THIS GUARANTEE.

9. (REWRITE OF 2.A.) A. THERE IS NO OUTWARD RESTRICTION ON FREEDOM OF THOUGHT, RELIGION, AND ASSEMBLY, AND THE REGIME'S RESPECT FOR THE RIGHTS OF THE COUNTRY'S CHRISTIAN AND JEWISH MINORITIES HAS BEEN NOTEWORTHY. ON SEVERAL OCCASIONS IN THE PAST TWO YEARS, PRESIDENT BOUMEDIENE IS REPORTED TO HAVE INTERVENED PERSONALLY TO REDRESS WRONGS DONE TO BOTH THESE GROUPS. AT THE SAME TIME, ALL OF THE PRINTED AND ELECTRONIC MEDIA ARE OFFICIALLY CONTROLLED OR MONITORED BY THE GOVERNMENT.

LIMITED POLITICAL OPPOSITION, IN FORMS SUCH AS STUDENT DEMONSTRATIONS, IS TOLERATED, AND OPPOSITION POLITICAL TRACTS CIRCULATE HERE, ALMOST CERTAINLY WITH THE KNOWLEDGE OF THE GOVERNMENT. BEYOND THIS, HOWEVER, IT IS WELL UNDERSTOOD THAT ANY ATTEMPT TO ORGANIZE ACTIVITIES IN OPPOSITION TO THE GOVERNMENT..., (REST OF PARAGRAPH AS IN REFTEL).

10. (REWRITE FIRST SENTENCE OF 2.B) B. THERE ARE NO OUTWARD RESTRICTIONS ON FREEDOM OF MOVEMENT WITHIN THE COUNTRY FOR ALGERIANS OR FOREIGNERS OTHER THAN DIPLOMATS (DIPLOMATS ARE REQUIRED TO OBTAIN PERMISSION FROM THE FOREIGN MINISTRY TO TRAVEL MORE THAN 45 KILOMETERS BEYOND CONFIDENTIAL

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11. (SENTENCE TO BE ADDED AT END OF 3.A.) FINALLY, ALTHOUGH A HOUSING "CRISIS" WILL BE A FACT OF LIFE HERE FOR SOME TIME, THE GOVERNMENT IS COMMITTING EXTENSIVE RESOURCES TO A LARGE-SCALE PROGRAM OF HOUSING CONSTRUCTION THROUGHOUT THE COUNTRY.

12. (REWRITE OF 3.B.) B. CORRUPTION, ALTHOUGH IT EXISTS, IS NOT A MAJOR FACTOR IN ALGERIA. THERE IS A GAP IN LIVING STANDARDS BETWEEN THE NEW CLASS OF EDUCATED TECHNICRATS WHO BENEFIT FROM THE PERQUISITES WHICH

ACCOMPANY HIGH LEVEL POSITIONS IN GOVERNMENT MINISTRIES AND STATE COMPANIES AND THE ORDINARY CITIZEN OF AVERAGE MEANS. HOWEVER, THE DISPARITY BETWEEN THE LIVING STANDARD OF THIS NEW "ELITE" AND THAT OF THE AVERAGE CITIZEN IS NOT OF THE SAME ORDER OF MAGNITUDE AS IN OTHER COUNTRIES OF THE REGION, AND THE GOVERNMENT'S COMMITMENT TO RAISING THE QUALITY OF LIFE OF THE LOWER STRATA OF THE SOCIETY APPEARS UNSWERVING.

13. THIS CONCLUDES OUR SUGGESTIONS FOR MODIFICATION OF DRAFT EVALUATION.

14. WE HAVE FINAL OBSERVATION ON ONE ASPECT OF HUMAN RIGHTS QUESTION WHICH GREATLY INTERESTS ALGERIANS - NAMELY ISSUE OF SELF-DETERMINATION. AS WE CONTINUE TO EMPHASIZE HUMAN RIGHTS CONCERNS IN OUR FOREIGN POLICY, WE ARE LIKELY TO BE QUES-  
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TIONED MORE AND MORE SHARPLY BY ALGERIANS AS TO OUR STAND ON SELF-DETERMINATION GENERALLY AND IN SAHARA IN PARTICULAR. WE WILL NEED TO BE THINKING OF WAYS TO ANSWER THIS CONCERN.HAYNES

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